

CHAPTER I

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of \_\_\_\_\_

Inventor(s)

for \_\_\_\_\_

Title of invention

**OR**

In re application of: Shuji SONEZAKI, et al

Serial No.: 10/551,071      Group No.:

Filed: September 27, 2005      Examiner.:

For: SURFACE-MODIFIED TITANIUM DIOXIDE FINE PARTICLES AND DISPERSION  
COMPRISING THE SAME, AND METHOD FOR PRODUCING THE SAME

**Commissioner for Patents**

**P. O. Box 1450**

**Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

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Date: June 29, 2006

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**NOTE:** 37 C.F.R. 1.98(b):

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

**WARNING:** No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

**NOTE:** The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).

## **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

**NOTE:** "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

**NOTE:** "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**NOTE:** "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

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SIGNATURE OF PRACTITIONER

CLIFFORD J. MASS

(type or print name of practitioner)

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P.O. Address

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c/o Ladas & Parry LLP  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Shuji SONEZAKI, et al

Serial No.: 10/551,071 Group No.:

Filed: September 27, 2005 Examiner.:

For: SURFACE-MODIFIED TITANIUM DIOXIDE FINE PARTICLES AND DISPERSION  
COMPRISING THE SAME, AND METHOD FOR PRODUCING THE SAME

Attorney Docket No.: U 015953-2

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

We draw the attention of the Examiner to the attached references which are also listed  
on the attached Form PTO-1449.

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**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

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Date: June 29, 2006

*Geraldine Marti*  
Signature

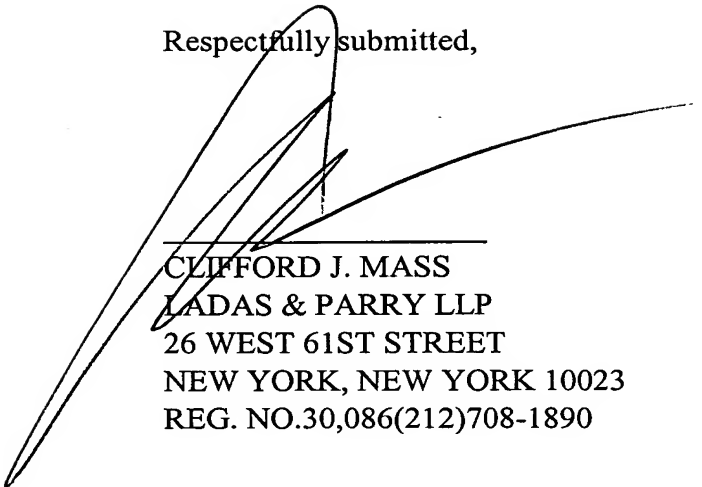
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56,442.

Respectfully submitted,



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<b>FORM PTO-1449 U. S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)		<b>ATTY. DOCKET NO.</b>		<b>SERIAL NO.</b>	
		<b>U 015953-2</b>		<b>10/551,071</b>	
		<b>APPLICANT</b>			
		<b>Shuji SONEZAKI et al.</b>			
		<b>FILING DATE</b>		<b>GROUP</b>	
<b>U.S. PATENT DOCUMENTS</b>					
<b>EXAMINER INITIALS</b>	<b>REFERENCE DESIGNATION</b>	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>FILING DATE IF APPROPRIATE</b>
	AA				
	AB				
<b>FOREIGN PATENT DOCUMENTS</b>					
		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>TRANSLATION</b> <div style="display: flex; justify-content: space-between;"> <span><b>YES</b></span> <span><b>NO</b></span> </div>
	AC	2002-316950	10/2002	JP	X
	AD	2002-316946	10/2002	JP	X
	AE	11-319577	11/1999	JP	X
	AF	10-67516	03/1998	JP	X
	AG	9-299810	11/1997	JP	X
	AH	2-212315	08/1990	JP	X
<b>OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)</b>					
	AI	Patent Abstracts of Japan of JP 2002-316950 dated October 31, 2002			
	AJ	Patent Abstracts of Japan of JP 2002-316946 dated October 31, 2002			
	AK	Patent Abstracts of Japan of JP 11-319577 dated November 24, 1999			
	AL	Patent Abstracts of Japan of JP 10-67516 dated March 10, 1998			
	AM	Patent Abstracts of Japan of JP 9-29980 dated November 25, 1997			
	AN	Patent Abstracts of Japan of JP 2-212315 dated August 23, 1990			
	AO	Watson, S. et al. "Synthesis of a Novel Magnetic Photocatalyst by Direct Deposition of Nanosized TiO <sub>2</sub> Crystals onto a Magnetic Core" <i>Journal of Photochemistry and Photobiology A: Chemistry</i> 148 (2002) pp 303-313			
	AP	Vorkapic, D. et al. "Effect of Temperature and Alcohols in the Preparation of Titania Nanoparticles from Alkoxides" <i>Journals of the American Ceramic Society</i> (1998) Vol. 81, No. 11, pp 2815-2820			
	AQ	Barbe, C. et al. "Nanocrystalline Titanium Oxide Electrodes for Photovoltaic Applications" <i>Journals of the American Ceramic Society</i> (1997) Vol. 80, No. 12, pp 3157-3171			
	AR	Cai, R. et al. "Induction of Cytotoxicity by Photoexcited TiO <sub>2</sub> Particles" <i>Cancer Research</i> (1992) Vol. 52, pp 2346-2348			
<b>EXAMINER</b>			<b>DATE CONSIDERED</b>		
<b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					